

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE PROPOSED TARIFF OF SOUTH)	
CENTRAL BELL TELEPHONE COMPANY FOR)	CASE NO.
PROPOSED AREA CALLING SERVICE)	93-114
EXPANSION)	

O R D E R

This matter arising upon petition of BellSouth Telecommunications, Inc. d/b/a South Central Bell Telephone Company ("South Central Bell") filed March 26, 1993 pursuant to 807 KAR 5:001, Section 7, for confidential protection of call data information, price-out information and bill rendering costs on the ground that disclosure of the information is likely to cause South Central Bell competitive injury, and it appearing to this Commission as follows:

South Central Bell is seeking approval of a tariff for its proposed expansion of Area Calling Service. In support of its tariff, South Central Bell has filed, as part of Attachment B, call data information and, as part of Attachment D, price-out information and bill rendering costs.

The information sought to be protected is not known outside of South Central Bell and is not disseminated within South Central Bell except to those employees who have a business need to know and act upon the information. South Central Bell seeks to preserve and protect the confidentiality of the information through all appropriate means.

KRS 61.872(1) requires information filed with the Commission to be available for public inspection unless specifically exempted by statute. Exemptions from this requirement are provided in KRS 61.878(1). That section of the statute exempts 11 categories of information. One category exempted in subparagraph (c) of that section is commercial information confidentially disclosed to the Commission. To qualify for that exemption, it must be established that disclosure of the information is likely to cause substantial competitive harm to the party from whom the information was obtained. To satisfy this test, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.

The call data information in Attachment B could be used to evaluate the size of South Central Bell's markets along its intraLATA toll routes. Carriers who offer long-distance services in these markets could use this information in their marketing campaigns. Therefore, the information has competitive value and should be protected as confidential.

The price-out information in Attachment D contains the expected revenue effect from introducing the proposed plan. This information would allow competing carriers to identify lucrative markets within the LATA and direct their marketing efforts accordingly. Therefore, this information has competitive value and should be protected as confidential.

The billing and collections cost model to be protected in Attachment D identifies the cost of billing intraLATA and interLATA messages. This includes the cost of recording, message and bill processing, billing analysis, and billing information extracts. Any company with billing resources can compete for the billing and collections service and the information sought to be protected could be used by such competitors to the detriment of South Central Bell. Therefore, the information should be protected as confidential.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that the call data information contained in Attachment B and the price-out information and bill rendering costs contained in Attachment D to the information filed in support of the proposed tariff, which South Central Bell has petitioned be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 11th day of June, 1993.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director